

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 1ST NOVEMBER 2007 / 10TH KARTHIKA 1929

WP(C).No. 31977 of 2007(F)

PETITIONER:

AMBILI V.,
JUNIOR PUBLIC HEALTH NURSE,
PRIMARY HEALTH CENTRE,
ORKKATTERI, KOZHIKODE DISTRICT.

BY ADVS. SRI.A.K.ALEX
SRI.K.P.SURESH KUMAR

RESPONDENTS:

1. DIRECTOR OF HEALTH SERVICES,
THIRUVANANTHAPURAM.
2. STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY
TO GOVT. OF KERALA,
SECRETARIAT, THIRUVANANTHAPURAM.
3. DISTRICT MEDICAL OFFICER OF HEALTH,
KOZHIKODE.

BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 01/11/2007, THE COURT ON THE SAME
DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

W.P.(C).No.31977 of 2007 F

Dated this the 1st day of November, 2007.

JUDGMENT

Petitioner is working as Junior Public Health Nurse in the Health Services Department. She was advised by the Public Service Commission on 21.11.1997. Her grievance is in relation to the provisional service, which she had rendered prior to the commencement of her regular service. Petitioner submits that Junior Public Health Nurses, advised by the Public Service Commission, were later regularized in service with reference to a date from the commencement of their provisional service. In other words, their date of commencement of regular service related back to the date on which they commenced provisional service. Petitioner refers to Ext.P5 order passed by the Additional Director of Health Services.

Learned counsel for the petitioner relies on the judgments of the Supreme Court, Exts.P2, P3, P4 and P6 as also a judgment of this court in W.P.(C)No.547/05 and the judgment of the Full Bench of this court reported in **State of Kerala v. Ponnamma, {2005(4) KLT 987}**. The claim of the petitioner is raised before the Government, in Ext.P7.

2. Having heard learned counsel for the petitioner and the learned Government Pleader, I direct the first respondent to take a decision on Ext.P7 within a period of two months from the date of receipt of a copy of this judgment. The first respondent shall take into account the judgments mentioned above; both of the Supreme Court as well as of this court and any other judgment, which the petitioner may, place before him. The petitioner may file an additional

W.P.(C).No.31977 of 2007

:: 3 ::

representation. The petitioner may be heard before the first respondent takes a decision in this regard.

Writ petition is disposed of as above.

Sd/-
(V.GIRI)
JUDGE

sk/

//true copy//

P.S. To Judge